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**THE LAW NOW IN FULL ACTION;
POISONERS NEAR TO JUSTICE.**

**Gardiner Massing His
Proofs to Make Sure
of Arrests After the
Inquest.**

**Now Certain That Bar-
net's Body Was Not
Embalmed, and It
Will Be Exhumed.**

**An Array of Quick Ar-
rests in Former Mur-
der Cases Makes a
Startling Contrast.**

NEW YORK, astonished and aroused at the fashion in which the Barnet-Adams case has been permitted to lag for nearly two months, does not forget other cases famous in its criminal record of recent years. The Journal publishes to-day some of the most noted instances of prompt action in murder cases.

Mark the contrast. Mrs. Kate J. Adams died December 28 from poison administered by the hands of Harry Cornish.

Cornish was not arrested. Why? Was it because the finger of suspicion pointed more strongly at others? All the evidence concerning those "others" is now in the hands of the District-Attorney. It fixes the crime upon them to the satisfaction of his exacting mind. It eliminates all other suspects, dozens of whom have been "sifted down" in the process of exclusion.

And yet the District-Attorney says there will be no immediate arrest.



Chief of Police William S. Devery. He is at the head of the Police Department of Greater New York. Captain McClusky, chief of the Detective Bureau, is his first lieutenant.

After a display of candor, energy and determination, which has made the dry bones around the Coroner's office and Police Headquarters rattle, and gave the public faith that something was at last to be done, District-Attorney Gardner announced yesterday that there would be no immediate arrest in the poisoning case.

Colonel Gardner explains that it is his expectation that the inquest—even in its earliest stages—will supply the evidence necessary to warrant the seizure of the persons who, he is now sure, committed both the crimes.

The vigor with which the District-Attorney has taken the case in hand, the publicity he has given to his convictions regarding it, are an earnest of a genuine intent to follow it to the end, no matter what influences stand in the way, no matter what personalities demand shielding.

It was the general belief yesterday, freely expressed, that Colonel Gardner is in grim earnest in the move he has taken.

He is convinced that the poison-
ing crimes have been traced to the
doors of Mollieux, Gallagher and a
woman.

The police share that belief.

Public Demands Equal Justice.

That having been made plain, Colonel Gardner will find all about him a plentiful supply of proof that the public befriends every day of inaction which intervenes between the announcement of his belief and the apprehension of the persons whom he says he is ready to prove guilty.

The populace of New York reads and remembers. It forms from precedent its idea of what is the proper official promptitude in a great criminal case. It is studious of the distinction made by officers of the law against one set of offenders—or suspects—and in favor of another.

Public patience—already sadly strained—will not, however, rebel at the seeming inaction of yesterday, for a step was taken which, while apparently simple, is of paramount importance in any attempt to prove that the poisoning of Barnet and the attempt to poison Harry Cornish were work of the same hands. It was established that no mercurial fluid—in fact no fluid at all—was injected into Barnet's body by the undertaker prior to his interment, and there was evidence adduced to show that no mercury was used in his medical treatment.

These facts being considered established, it is clear that if mercury is found in the body of Barnet it was mixed with the Kulerpowder sent to him at the Kulerpowder Athletic Club. To-day the District-Attorney will obtain some testimony as to the hands of Captain McClusky.



Captain George McClusky, Chief of the Detective Bureau. He did not arrest Cornish on the morning of Mrs. Adams' death, although it was Cornish who administered the fatal dose of mercury, believing it to be bromo-solter. He has made no arrests since, although he has worked diligently upon the case.

**NOTABLE CASES WHERE THE POLICE
DID MAKE ARRESTS BEFORE
INQUESTS WERE HELD.**

Mrs. Evelyn Bliss was killed by poison at No. 597 St. Nicholas avenue, August 30, 1895. Her daughter, Mrs. Mary Alice Fleming, was arrested ON SUSPICION while returning from the funeral, September 3—BEFORE THE INQUEST. Annie Beck was stabbed to death at No. 207 East Twenty-first street, August 4, 1896. Jacob Levy arrested at once ON SUSPICION, and locked up BEFORE THE INQUEST.

Minnie Cunningham was killed by strangling at No. 315 East Thirty-seventh street, May 31, 1896. Edward McCormick, James O'Connell, Edward Welsh and Francis P. Farrell were arrested ON SUSPICION within ten days, more than two weeks BEFORE THE INQUEST.

Susie Martin, aged twelve years, disappeared from her home, No. 636 Eleventh avenue, March 8, 1894. On March 19 her body was found in the cellar of No. 517 West Thirty-ninth street. ON SUSPICION a Chinaman was arrested BEFORE THE INQUEST.

Martha J. Fuller, typewriter, in the office of Lawyer William H. Mullin, No. 114 Nassau street, was shot through the head March 17, 1894. Joseph Magee was arrested on suspicion the same day, BEFORE THE INQUEST.

Professor Max Egan, an artist, was found murdered in his studio, in the Institute for the Improved Instruction of Deaf Mutes, Lexington avenue and East Sixty-seventh street. Within two days five deaf mutes, students at the Institute, were arrested ON SUSPICION, three weeks BEFORE THE INQUEST.

Louisa Hornung, eight years old, was strangled to death January 27, 1896, under the New York Central trestle, at West One Hundred and Twenty-sixth street. Wong-Wah-Kee, Chinese laundressman, was arrested immediately, ON SUSPICION, several days BEFORE THE INQUEST.

Annie Myers was strangled to death with one of her own stockings, September 1, 1896, at No. 202 East Twenty-ninth street. Four days later her husband was arrested ON SUSPICION, and locked up, BEFORE THE INQUEST.

**INQUEST WILL BE
THE CRUCIAL TEST.**

District-Attorney Gardner, working in full sympathy and accord with the Coroner's office, began in earnest yesterday the task of preparing for the Adams inquest. Much depends on the result of the inquest. This Colonel Gardner realizes.

At this moment neither Colonel Gardner nor Captain McClusky feels justified in

**GORMAN, BLOCK
THE
TREATY**

**Their Filibustering Will
Probably Prevent Its Pas-
sage This Session.**

WONT VOTE, ONLY TALK.
Opponents of the Treaty Re-
fuse to Accept the Sul-
livan Resolution.

IT IS SURE TO PASS IN MARCH.
By That Time Some of Its Most
Virulent Enemies Will
Have Retired to
Private Life.

Washington, Feb. 3.—Unless there is a change in the Senatorial situation now and 3 o'clock on Monday afternoon the Peace Treaty will not be ratified at this session.

The responsibility for the failure to ratify it and for the extra session that will be necessitated will rest upon a minority of the Senate, of whom ten are Democrats, who will retire into private life after March 4.

It is important to remember, however, that the treaty will not be absolutely defeated if it is not ratified on Monday. It will be returned to the Foreign Relations Committee to be reconsidered at an extra session which the President will call on March 5, and at which there will be 65 votes certain to insure its ratification.

The only object to be gained by not adopting the treaty now was stated tonight by Senator Jones, of Arkansas, one of the leaders of the opposition. In these words: "I have no doubt it will be ratified at the next session, but we will then place the responsibility for its ratification where it belongs."

The new situation in the Senate developed in the executive session tonight. Earlier in the day Senators Aldrich, Spooner, Davis, Chandler and Hansbrough, the latter being in charge of pairs for the Republican side, retired to a committee room and made a thorough canvass of the situation. They sent for several Senators and worked on those whose votes were a possibility. It is even hinted that in one or two cases promises of good committee places in the next Senate were demanded and given in return for votes for the treaty.

Success Seems Certain.
But the heels of all this trading and cajoling was that before the treaty was ratified a resolution be adopted declaring that it was not necessarily the intention of the United States to retain the Philippines as a permanent colony. There seemed to be no reason to doubt that such a resolution could be adopted without difficulty to-morrow.

The result of the work accomplished was so satisfactory that at the conclusion of the campaign Mr. Aldrich announced that there would be at least sixty-one votes for the ratification of the treaty on Monday.

The executive session did not begin until after 5 o'clock because of the unexpected length of two anti-treaty speeches delivered by Senators Money and Daniel. As soon as the doors were closed Mr. Davis asked for unanimous consent to fix a time to-morrow when a vote on the Sullivan resolution might be had.

Then came the surprise which upset all the calculations of the morning. Mr. Gorman announced that no such agreement could be made.

"It is too late now," said he, "for the House to pass and the President to sign before next Monday any concurrent resolution that we might adopt. I, for one, should not be satisfied with a mere Senate resolution, which would be merely the expression of the opinion of this body. Therefore I shall object to any request to fix a time for a vote upon any of the pending resolutions."

Mr. Gorman went on to say that the opposition to the treaty was not so strong as it had been in the past. He said that the treaty should be adopted before the vote was taken on the treaty itself.

Senators Davis, Aldrich and other friends of the treaty urged that a vote be permitted and offered to allow a separate vote to be taken upon each of the anti-extension resolutions that have been introduced.

The Opposition Implacable.
Senators Gorman and Jones, however, announced that the opposition forces were not to be moved by either pleadings or threats. They intimated that they had heard of the missionary work that had been done by the friends of the treaty earlier in the day, and said they would not be satisfied with the adoption of a resolution that meant nothing and committed the United States to nothing.

It being evident that no agreement could be reached on this matter, Mr. Davis suggested that the Senate adjourn until 10 a. m. to-morrow, in order to allow Senators who desire to make speeches to deliver them in advance of the hour set for executive sessions. This, it was objected, would be a violation of the present understanding, which permits Senators to finish their speeches, even if they take all the afternoon, as was the case to-day.

While Mr. Davis was arguing the point that the Senate should adjourn until 10 a. m. to-morrow, Mr. Gorman moved to adjourn until 10 o'clock to-morrow, and the motion was carried. On this the twenty-five friends of the treaty voted yea, but only five or six of the opposition responded. The Senate adjourned, the majority members being in pretty bad humor at this open exhibition of the vote.

The friends of the treaty admit that it is in pretty bad shape to-night, but they have not yet given up hope that when the final vote on ratification comes the opposition will not be able to muster thirty-five votes.

The whole trouble is due to the sudden change of front of some Senators who said yesterday they would vote for the treaty if the Sullivan resolution were first adopted. Friends of the treaty thought this promise was made in good faith. They induced the ardent extensionists, Carter and Platt, of Connecticut, to accept the resolution, and then went to the White House and secured the President's consent to its adoption.

Gorman upset the programme to-day by pulling away some of those who had agreed to vote for the Sullivan resolution. Without its adoption the treaty cannot secure enough votes.

**SHOT DOWN IN A CAR BECAUSE
HE KEPT A SEAT FROM A WOMAN.**



Hugo Wolfert, Probably Fatally Shot by Dr. Wildes. Wolfert persisted in taking a seat in a car for bundles, which brought a remonstrance from Dr. Wildes when a woman was compelled to remain standing on account of it. In the dispute Wolfert struck Dr. Wildes a blow in the face. Wolfert is a large, powerful man, while Dr. Wildes is small and in feeble health. The latter drew a revolver and shot Wolfert near the heart.

**Hugo Wolfert Prob-
ably Fatally Wound-
ed by Dr. Thomas
Wildes.**

**The Physician, Small
and Feeble, Viciously
Attacked by the
Burly Passenger.**

**Surgeons Locate the
Bullet Near Wound-
ed Man's Heart with
the X-Rays.**



Dr. Thomas Wildes, Who Shot Hugo Wolfert.

The aged physician remonstrated with Wolfert because he refused to remove bundles from a seat in the car to make room for a woman. A dispute arose and Wolfert, a powerful man, struck the physician, a small man, who is in feeble health.

In a dispute arising from courtesy, because he would not give his seat in a car to a woman, Hugo Wolfert, a cook, was shot and mortally wounded by Dr. Thomas Wildes late yesterday afternoon.

The tragedy occurred on a Lexington avenue car, bound north. It was car No. 280, conductor Leon L. Baker, of No. 1225 Park avenue. At the time of the shooting the car was nearing Fifty-first street. Dr. Wildes lives at No. 610 Lexington avenue, which is near the corner of Fifty-third street.

A well-dressed woman entered the car at Forty-ninth street and Lexington avenue. It was already filled. Two or three men were standing in the aisle holding to the straps. Among those standing was, according to the detectives, Dr. Wildes. He is a physician of the old school, courteous and gallant. He is fifty-nine years old. Ever since he was graduated he has been in practice in this city and it well known.

The woman who entered was the only one of her sex who did not find a seat. According to one man in the car, Dr. Wildes was seated, and the dispute arose over bundles which took no considerable space at Wolfert's side, but the police say that Dr. Wildes requested Wolfert to give his seat to the woman who had entered.

Wolfert held to his seat.

Wolfert said to him:

"Why don't you give your seat to this lady? At least, if you removed the bundles by you there would be room for her."

Wolfert regarded him sullenly, but made no move. The physician again spoke to him and said:

"Can't you get up or take those bundles out of the way? What are you trying to do, take the whole car?"

"Who are you talking to?" Wolfert answered gruffly.

"To you," replied the physician, "and if you had the instincts of a gentleman you would get up."

"You are trying to get in a scrap, eh?" said Wolfert.

Dr. Wildes is below medium height and feeble. He is in ill health, and a few years ago was obliged to take an extended trip through the West for this reason. He returned to active practice in this city five years ago, but has never since been a strong man.

Wolfert is a big stout man, stockily built. He is nearly twenty years the junior of Dr. Wildes, and much more powerful. But the physician did not hesitate at this implied threat of a fight. He merely said:

"Some men are gentlemen, others are dogs. If you will not give your seat to this woman or remove the bundles I don't suppose I can force you."

Called Him a Hog.

"You had better mind your own business and not call names. I guess the woman can stand it," said Dr. Wildes.

"Very well. If you want to hog, do it," said Dr. Wildes.

Please don't say anything to him on my account," said the woman. "I don't care to sit down."

Dr. Wildes bowed and smiled.

"Very well, Madam," he answered, "but I dislike to have a hog in a car intended for human beings."

Wolfert bristled up at this remark.

"You're an old fool!" he said, frowning.

"Perhaps, but not a hog!" Wildes answered, coolly.

Wolfert took up the dispute. The passengers in the car smiled when the physician replied. But their amusement angered the cook and he began using vile language. The quarrel continued until the car was nearing Fifty-first street. The passengers sided with the venerable physician and continued to laugh at the big man with the bundles who retained his seat.

"You needn't be trying to make a mess of the woman by getting me to give up my seat for her," Dr. Wildes frowned. "No," he said, "what angrily, but even with a brute like you I think that if your mother—"

Before any one guessed his purpose or could stop him, Wolfert had leaped angrily from his seat and struck Dr. Wildes a terrific blow over the left eye. The old physician's head went back. He was saved from falling by Gustave Polly, of No. 100 East

**ALGER HARD AT
WORK FOR EAGAN.**

**He Wants the Dismissal
Commuted to a Mere
Suspension.**

PRESIDENT IS NOT DEAF.
It Is Believed Eagan Will Be
Suspended Until the Time for
His Retirement in 1903.

Washington, Feb. 3.—The record in the Eagan court-martial is still with the President. The announcement of his action will be made through the Secretary of War.

It is believed that the President will not be able to resist the appeals which have been made upon him for the mitigation of the sentence of General Eagan. He has had submitted to him a powerful plea from Eagan's counsel.

Secretary Alger is working industriously to have the sentence of dismissal changed to that of suspension.

Some Senators have interested themselves to the same effect, urging the long service of the accused, and the fact that he has only four more years to serve before retirement by limitation.

It is already reported that the President has not been deaf to these pleas and to the consideration of the deep disgrace which would attach to the last days of the General if the court-martial sentence were approved.

The opinion among many military men is that the President will suspend General Eagan from both duty and rank until 1903, when he is retired by law at the age of sixty-two. Extreme views are, however, that he will be suspended for a much shorter term than the four years, or that he will be allowed to take advantage of the law which permits him to ask for his retirement on having served thirty years in the army.

**CHILDREN STILL
WITH MRS. SLOANE**

**The Two Daughters Have Not
Left Her for Their
Father.**

THE RUMOR WAS UNTRUE.
They Were at Mrs. Sloane's Home
Yesterday and Made a Call
with Her at Night.

The daughters of Mr. and Mrs. Henry T. Sloane, whose separation has attracted such wide attention, have not left their mother. The Journal has learned, on the best authority, that the story of their having left their mother's home and gone into the custody of their father is untrue.

So far from having gone out of their mother's care, the two daughters were at her home, No. 9 East Seventy-second street, all day yesterday.

They dined there with their mother in the evening, and then all three, with every appearance of loving cordiality, went to make a call on Mr. Herbert D. Robbins, the brother of Mrs. Sloane, at his home, No. 814 Madison avenue.

At the conclusion of the call they returned with their mother to her home.

Mr. Sloane left the Hotel Buckingham yesterday, where he has lived since the separation, and went to the home of his sister, Mrs. Edmund V. Coffin, at No. 13 West Fifty-seventh street. It is understood that he will remain there for the present.

It is said that on Tuesday last legal proceedings of some nature were had, or some contract mutually entered into, in regard to the differences and separation of Mr. and Mrs. Sloane, but neither of the principals would be seen, nor would their attorneys discuss the matter.

**MILE AROUND THIS
BIG CAR FACTORY.**

Carnegie Company Must Build It to Care
for \$6,000,000 Worth of New
Orders.

Pittsburg, Feb. 3.—Orders for \$6,000,000 worth of steel freight cars have been booked by the Carnegie Steel Company. For some time the company has been acquiring additional ground at Homestead, and to-day it was learned that the company will build a continuous car shop, adjoining the Homestead mills.

It will be the largest structure of its kind in the world. It will front on the Monongahela River for over 2,500 feet and will be 500 feet deep.

Beginning with the steel plates from plate mills recently purchased from the Bethlehem Iron Company, the work of building cars will progress until they are turned out at the west end of the shop ready for service.

The company will erect a shop that will turn out 300 finished cars per day. An order received to-day was for 2,000 hoppers and gondolas for the Baltimore & Ohio Railroad. They will cost over \$1,500,000.

**BRIDE'S SECOND ATTEMPT
AT SUICIDE SUCCEEDS.**

Married Only Three Weeks, She Blows
Out Her Brains in a Fit of
Despondency.

Olney, Ill., Feb. 3.—Mrs. William Winters, a nineteen-year-old bride of three weeks, was successful in her second attempt at suicide to-day. She blew her brains out with a revolver and died in a few moments.

Friends of the young woman had noticed for several months that she had lost her usually vivacious manner. Even her ap-
proaching marriage did not brighten her. On the contrary, the day before her wedding she drank violent. A physician saved her life and the ceremony was not put off.

To-day, in a fit of despondency, she made the second attempt. Letters she left for her husband said she had contemplated suicide for a long time, but did not hint at any reason.

The Coroner's jury decided that she was insane.

DEWEY HERO PENNILESS.

John Walsh, Gunner's Mate from Manila,
Gets a Cold Reception in Philadelphia.

Philadelphia, Feb. 3.—John Walsh, a gunner's mate on the cruiser Baltimore, who participated in the destruction of the Spanish fleet in Manila Bay, arrived in this city to-night, penniless, and was forced to seek refuge in the Central police station.

Walsh, whose home is in Chicago, says he was en route to the Brooklyn Navy Yard when the train was east of Pittsburgh he fell asleep and was robbed of his ticket and a small amount of money. The conductor brought him on to this city. Here he tried to get shelter at several charitable institutions, but was turned away, and he went to Police Headquarters.

BISHOP O'HARA IS DEAD.

The Venerable Prelate Expires in Scran-
ton After a Lingerings Illness.

Scranton, Pa., Feb. 3.—The Right Rev. William O'Hara, the venerable Bishop of the Roman Catholic diocese of Scranton, died to-night at 8:50 o'clock after a lingering illness. He was eighty-two years old, for some time, but until quite recently his remarkable vigor had enabled him to stay the approaching collapse.

He was born in Limerick, County-Derry, Ireland, in 1817.